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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,606	03/11/2005	Gregor John Anderson	PG4942USw	5218

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GLAXOSMITHKLINE

CORPORATE INTELLECTUAL PROPERTY, MAI B482

FIVE MOORE DR., PO BOX 13398

RESEARCH TRIANGLE PARK, NC 27709-3398

EXAMINER

COLLINS, MICHAEL

ART UNIT

PAPER NUMBER

3651

NOTIFICATION DATE

DELIVERY MODE

06/16/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USCIPRTP@GSK.COM

ELAINE.X.MARTENS@GSK.COM

PATRICIA.T.WILSON@GSK.COM

Office Action Summary

Application No.

10/527,606

Applicant(s)

ANDERSON ET AL.

Examiner

MICHAEL K. COLLINS

Art Unit

3651

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36 and 43-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 36 and 43-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see **REMARKS / ARGUMENTS** see page 4 third paragraph, filed 3/19/2010, with respect to the rejection(s) of claim(s) 36 and 43-47 under 35 U.S.C. §102(a), or in the alternative, 35 U.S.C. §103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Moulding et al. (USP 5,344,043).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 36 and 43-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Moulding et al. (USP 5,344,043).

Regarding claim 36, Moulding et al. disclose a method of coiling a medicament carrier in preparation for loading the coiled medicament carrier into a housing (see Figure 7) of a medicament dispenser (15,17), said carrier having the form of an elongate strip (see Figure 1) and having multiple distinct medicament doses carried thereby, the method comprising:

- (a) receiving the leading end of the elongate medicament (15,17) carrier by a spindle (20); and
- (b) forming a coil of the elongate medicament carrier with the medicament doses therein on the spindle by rotating the spindle whilst moving the spindle and the elongate medicament carrier in a lateral sense (see column 5 lines 13-23).

Regarding claim 43, Moulding et al. disclose a method according to claim 36, wherein the medicament carrier comprises blister pack form (see Figure 15).

Regarding claim 44, Moulding et al. disclose a method according to claim 43, wherein the medicament carrier comprises a peelable blister strip (1) comprising a base sheet (216), in which blisters are formed to define pockets (see Figure 15) therein for containing distinct medicament dose portions, and a lid sheet (214) which is hermetically sealed to the base sheet except in the region of the blisters in such a manner that the lid sheet and the base sheet can be peeled apart (see Figure 15).

Regarding claim 45, Moulding et al. disclose a method according to claim 36 comprising associating the coiled medicament carrier with a retainer (26) for retaining the coiled form (see Figure 4).

Regarding claim 46, Moulding et al. disclose a method of coiling according to claim 36, wherein the spindle frictionally engages the elongate medicament carrier (see Figure 4).

Regarding claim 47, Moulding et al. disclose a method of coiling according to claim 36, wherein the end of the elongate medicament carrier is received within a slit (21) provided to the spindle (see Figure 4A).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL K. COLLINS whose telephone number is (571)272-8970. The examiner can normally be reached on 8:30 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene O. Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

